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Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
(SAN FRANCISCO DIVISION)**

IN RE: BEXTRA AND CELEBREX ) MDL CASE NO.: 05-CV-1699  
MARKETING SALES PRACTICES AND )  
PRODUCT LIABILITY LITIGATION )

ACQUAROLE, et al., ) CASE NO. CGC-06-449463  
                         ) MDL Case No. 06-2392 CRB

Plaintiffs,  
vs.  
) STIPULATION AND ORDER OF  
) DISMISSAL WITH PREJUDICE  
) AS TO PLAINTIFF KAY RABORN

PELZER, INC., et al. v. BROWN & WILSON, INC., et al.

### Defendants.

COME NOW, Plaintiff KAY RABORN and Defendants PFIZER, INC., et al., by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and

1 hereby stipulate to the dismissal of Plaintiff KAY RABORN from this action, with prejudice,  
2 each side bearing its own attorney's fees and costs.

3  
4 Respectfully submitted,

5 Dated: September 24 2009

6 **KABATECK BROWN KELLNER LLP**

7 By: \_\_\_\_\_  
8

9 Brian S. Kabateck, Esq.  
10  
11 Attorneys for Plaintiff KAY RABORN

Dated: October 27, 2009

**DLA PIPER LLP**

12 By: \_\_\_\_\_  
13 /S/

14 Matthew A. Holian  
15 Attorney for Defendants PFIZER, INC., et al.  
16  
17

**ORDER**

18 PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION, IT IS  
19 SO ORDERED.

20 Dated: OCT 29 2009

21 Honorable Charles R. Breyer  
22 United States District Court  
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